FARAD CONTINUATION SHEET NO.
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.500 OF 2006

| Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders. | Court's or Judge's orders. |
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Mr.A.P.Mundergi for the Petitioner.
Mr.S.R.Shinde, APP. for the State,.

**CORAM : R.S. MOHITE,J.**
**DATED : 04/5/2006.**

**P.C.**

1. Heard both sides.

2. This petition impugns an order dated 10.2.2006 passed by the Special Judge, Jaysingpur allowing an application at Exh.27 filed by the prosecution and thereby allowing the prosecution to take re-examination by putting questions to P.W.No.1 in the nature of cross examination. The A.P.P. states that the prosecution will put the questions to the witness in re-examination and depending upon the answers if the prosecution finds that the witness is not supporting the prosecution case, the prosecution will

request the court that the witness may be declared hostile and then cross examine the said witness. The Advocate for the petitioner has no objection to this procedure. In this view of the matter, impugned order is modified and State is allowed to put the questions in the re examination and if at any stage they found that the witness is not supporting the prosecution case, they will be entitled to declare the witness hostile and put the questions in the nature of cross examination. With the above directions, petition is disposed off.

**(R. S. MOHITE, J.)**